

actively supported and implemented by all the Federal and state agencies involved in marine fisheries and recommended that NMFS strive to include these agencies and upgrade the document from an NMFS to a United States Government Implementation Plan.

Response: NMFS has determined that, since it is the Federal agency responsible for marine fisheries, it is appropriate at this time for NMFS to take the lead in implementation of the

Code of Conduct for Responsible Fisheries and move forward with its Implementation Plan. At the same time, NMFS will work closely with other Federal, state, and local agencies on various elements of the Implementation Plan, as noted in the Implementation Plan. The intent to collaborate closely with these other government agencies, especially with respect to fisheries management, marine aquaculture, international fisheries agreements, and trade is stressed in the Implementation Plan.

Comment: One response recommended that the treatment of aquaculture be more detailed, proactively developmental, less regulatory, and more specific about resources that NMFS can make available in this area.

Response: The final Implementation Plan's treatment of aquaculture reflects the fact that, in April 1997, the Strategic Plan was approved, with a significantly modified section on marine aquaculture development. Therefore, the revised Implementation Plan includes more specific information regarding the NMFS marine aquaculture objective: To promote robust and environmentally sound aquaculture.

Comment: One comment was critical of the prominence assigned to individual transferable quotas (ITQs) as a means to deal effectively with overfishing and overcapitalization.

Response: NMFS believes that ITQs are a potentially useful management tool. However, largely in view of the fact that the SFA mandates that the National Academy of Sciences conduct a study of their effectiveness, NMFS agreed to identify ITQs as a type of limited entry in the revised Implementation Plan.

Comment: Some comments noted that the Implementation Plan generally dealt more with goals than with the specific means to reach those goals and suggested that it should be more forthcoming about particular action steps.

Response: In some instances, it was felt that the comment had some validity, and the Implementation Plan was modified. As examples, the treatments

of aquaculture, recreational fisheries, and the agency's obligations under the Convention for International Trade in Endangered Species and the Endangered Species Act are stated with greater specificity. More generally, an entirely new section was added to the end of the Implementation Plan, "Implementation Steps," that details the agency's resolve to work with all our constituencies, mainly through the regional Fishery Management Councils, to develop specific implementation plans on certain issues. On the other hand, NMFS is presently unable to spell out precise action steps in all areas for a variety of reasons, including the needs to complete Congressionally mandated studies, and to await future appropriation decisions.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 21, 1997.

David Evans,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 961126334-7052-02; I.D. 072397A]

Fisheries of the Exclusive Economic Zone Off Alaska; "Other Rockfish" Species Group in the Western Regulatory Area of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is prohibiting retention of the "other rockfish" species group in the Western Regulatory Area of the Gulf of Alaska (GOA). NMFS is requiring that catch of the "other rockfish" species group in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the "other rockfish" species group 1997 total allowable catch (TAC) in this area has been reached.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), July 25, 1997, until 2400 hrs, A.l.t., December 31, 1997.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive

economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 1997 TAC of the "other rockfish" species group in the Western Regulatory Area of the GOA was established by the Final 1997 Harvest Specifications of Groundfish for the GOA (62 FR 8179, February 24, 1997) as 20 metric tons (mt). See § 679.20(c)(3)(ii).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS, has determined that the 1997 TAC for the "other rockfish" species group in the Western Regulatory Area of the GOA has been reached. Therefore, NMFS is requiring that further catches of the "other rockfish" species group in the Western Regulatory Area of the GOA be treated as prohibited species in accordance with § 679.21(b).

Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the 1997 TAC for the "other rockfish" species group in the Western Regulatory Area of the GOA. Providing an opportunity for prior notice and comment would be impracticable and contrary to public interest. The fleet has already taken the directed fishing allowance for the "other rockfish" species group. Further delay would only result in overharvest and disrupt the FMP's objective of allowing incidental catch to be retained throughout the year. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 24, 1997.

Bruce Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 97-20007 Filed 7-25-97; 9:24 am]

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